

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALBERT ANDERSON,)	
)	
Plaintiff,)	
)	
v.)	1:20CV596
)	
WINSTON-SALEM POLICE)	
DEPARTMENT, et al.,)	
)	
Defendants.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on October 23, 2020, was served on the parties in this action. (ECF Nos. 6, 7.) Plaintiff filed objections to the Magistrate Judge's Recommendation. (ECF No. 8). The Court has appropriately reviewed the Magistrate Judge's Recommendation and has made a *de novo* determination in accord with the Magistrate Judge's Recommendation. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's individual capacity claims against Defendants Ferguson, Lavally, and Boissey may proceed but that the remainder of the claims are DISMISSED pursuant to 28 U.S.C. § 1915A for failing to state a claim upon which relief may be granted. The dismissal as to Defendant Thompson and the official capacity claims against Defendants Ferguson, Lavally, and Boissey is without prejudice to Plaintiff moving to amend his pleadings if he can state proper claims for relief.

This, the 4th day of November 2020.

/s/ Loreta C. Biggs
United States District Judge